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29 Attorneys for Defendant  
30 Otto Trucking LLC

31 **UNITED STATES DISTRICT COURT**  
32 **NORTHERN DISTRICT OF CALIFORNIA**  
33 **SAN FRANCISCO DIVISION**

34 Waymo LLC,

35 Case No. 3:17-cv-00939-WHA

36 Plaintiff,

37 **DECLARATION OF HAYES P. HYDE IN**  
**SUPPORT OF PLAINTIFF WAYMO**  
**LLC'S OPPOSITION TO DEFENDANT**  
**OTTO TRUCKING LLC'S MOTION FOR**  
**A SEPARATE TRIAL [DKT. 1933]**

38 v.  
39 Uber Technologies, Inc.; Ottomotto LLC; Otto  
40 Trucking LLC,

41 Defendants.

42 Courtroom: 8  
43 Judge: Hon. William Alsup  
44 Trial: October 10, 2017

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ACTIVE/92877129.1

HYDE DECLARATION ISO WAYMO'S ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL

CASE NO. 3:17-CV-00939-WHA

1 I, Hayes P. Hyde, declare as follows:

2 1. I am an attorney at the law firm of Goodwin Procter, LLP. I make this declaration  
 3 based upon matters within my own personal knowledge and if called as a witness, I could and  
 4 would competently testify to the matters set forth herein. I make this declaration in support of  
 5 Plaintiff Waymo LLC's Administrative Motion to File under Seal Its Opposition to Defendant  
 6 Otto Trucking LLC's Motion for a Separate Trial ("Motion") [Dkt. No. 1933].

7 2. I have reviewed the following documents and confirmed that only the portions  
 8 identified below merit sealing:

Document	Portions to Be Filed Under Seal
Motion	Highlighted portions in blue

9  
 10 3. The above-referenced portions of the motion include highly confidential, sensitive  
 11 business information relating to negotiations of the terms of Otto Trucking's agreements, its  
 12 corporate structure, and sensitive financial and business information. This information is not  
 13 publicly known, and its confidentiality is strictly maintained. I understand that this information  
 14 could be used by competitors to Otto Trucking's detriment, including in the context of negotiating  
 15 business deals. If such information were made public, I understand Otto Trucking's competitive  
 16 standing could be significantly harmed.

17 I declare under penalty of perjury under the laws of the United States that the foregoing is  
 18 true and correct. Executed this 5th day of October, 2017 in San Francisco, California.

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 22 /s/ Hayes P. Hyde  
 23 Hayes P. Hyde  
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1                   **CERTIFICATE OF SERVICE**

2                   I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the  
3                   United States District Court for the Northern District of California by using the CM/ECF system  
4                   on October 5, 2017. I further certify that all participants in the case are registered CM/ECF users  
5                   and that service will be accomplished by the CM/ECF system.

6                   I certify under penalty of perjury that the foregoing is true and correct. Executed this 5th  
7                   day of October 2017.

8                   /s/ Hayes P. Hyde  
9                   Hayes P. Hyde  
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